

**CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)**

Applicant(s): Gray

Docket No.

3/1124US(1)

Application No.

10/608,845

Filing Date

27 June 2003

Examiner

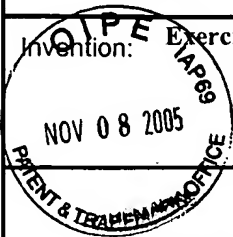
S. Crow

Customer No.

Group Art Unit

3764

Invention: Exercise Device



I hereby certify that the following correspondence:

Comments on Statements for Reasons for Allowance; Transmittal of Payment of Issue Fee; Form B - Issue Fee; Notice of Allowance; LRF Check No. 37213 for \$1,000; Certificate of Mailing via Express Mail; Acknowledgement Postcard

*(Identify type of correspondence)*

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(Date)

Kim Dorsey

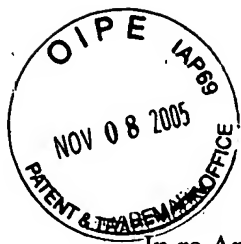
*(Typed or Printed Name of Person Mailing Correspondence)*

A handwritten signature in cursive script, appearing to read "Kim Dorsey".

*(Signature of Person Mailing Correspondence)*

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*("Express Mail" Mailing Label Number)***Note: Each paper must have its own certificate of mailing.**



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:  
Gary W. Gray

Appln. No. 10/608,845

Filed: June 27, 2003

For: EXERCISE DEVICE

Art Unit: 3764

Examiner: S. Crow

Docket No.: 3/1124US(1)

Commissioner for Patents  
Alexandria, VA 22313

**Comments on Statements of Reasons for Allowance**

Sir:

In response to the Reasons for Allowance mailed October 13, 2005 Applicant wishes to make the following statement:

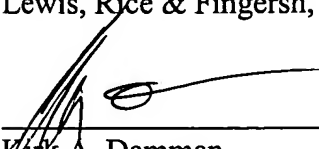
Applicant has authorized the listed Examiner's amendment solely to expedite prosecution as both Applicant and Examiner agree that the element of "providing independent resistance to each foot pad" is not shown in Devlin.

Applicant, however, continues to maintain that Devlin fails to show structure for achieving the element of "having said side-to-side stepping motion be resisted by said exercise machine" which was present in the method of claim 31 prior to the Examiner's amendment. Applicant further does not admit that such structure, or, in fact, any structure related to providing a stepping exercise, is shown in Devlin by authorizing this amendment.

These Comments are timely as they are submitted in conjunction with the issue fee.

Respectfully submitted,  
Lewis, Rice & Fingersh, L.C.

Dated: November 8, 2005



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